

# House File 798 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON ENVIRONMENTAL  
PROTECTION

(SUCCESSOR TO HSB 267)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to a waste tire stewardship and management fund  
2 and making appropriations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2674HV 83  
5 tm/rj/14

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1 1 Section 1. Section 455D.11, subsection 2, Code 2009, is  
1 2 amended to read as follows:  
1 3 2. Land disposal of waste tires is prohibited beginning  
1 4 July 1, 1991, unless the tire has been processed in a manner  
1 5 established by the department. A sanitary landfill shall not  
1 6 refuse to accept a waste tire which has been properly  
1 7 processed 2009.  
1 8 Sec. 2. Section 455D.11C, Code 2009, is amended by  
1 9 striking the section and inserting in lieu thereof the  
1 10 following:  
1 11 455D.11C. WASTE TIRE STEWARDSHIP AND MANAGEMENT FUND.  
1 12 1. a. A waste tire stewardship and management fund is  
1 13 created within the state treasury. Beginning July 1, 2009, a  
1 14 stewardship fee of one dollar per tire shall be charged for  
1 15 each new tire sold at retail within the state. The  
1 16 stewardship fee shall not be charged for a tire bought for  
1 17 purposes of resale. The stewardship fee shall be added to the  
1 18 total cost of the new tire after the applicable sales taxes  
1 19 have been computed. Tires not subject to the stewardship fee  
1 20 shall include used tires, recapped tires, and tires for  
1 21 bicycles.  
1 22 b. The department of revenue shall administer, collect,  
1 23 and enforce the stewardship fee authorized pursuant to this  
1 24 section.  
1 25 c. A retailer shall remit the stewardship fees to the  
1 26 department of revenue on a quarterly basis pursuant to rules  
1 27 adopted by the department of revenue. The department of  
1 28 revenue shall remit all revenue collected under the provisions  
1 29 of this section to the treasurer of state for deposit in the  
1 30 waste tire stewardship and management fund. All revenue  
1 31 credited to the fund are appropriated to the department of  
1 32 natural resources for the purposes provided in subsection 2.  
1 33 d. Notwithstanding section 8.33, moneys appropriated in  
1 34 this section that remain unencumbered or unobligated at the  
1 35 close of the fiscal year shall not revert but shall remain  
2 1 available for expenditure for the purposes designated until  
2 2 the close of the succeeding fiscal year. Notwithstanding  
2 3 section 12.7, any interest or earnings on investments from  
2 4 moneys in the fund shall be credited to the fund.  
2 5 e. Moneys from the fund that are expended by the  
2 6 department in closing or bringing into compliance a waste tire  
2 7 collection site pursuant to section 455D.11A and later  
2 8 recouped by the department shall be credited to the fund.  
2 9 2. Moneys in the waste tire stewardship and management  
2 10 fund shall be used for the following purposes:  
2 11 a. Up to four hundred thousand dollars shall be used each  
2 12 fiscal year for all of the following purposes:  
2 13 (1) The issuing of permits and registrations of tire  
2 14 processing, storage, and hauling activities.  
2 15 (2) The administration of the waste tire stockpile  
2 16 abatement program and to support illegal dumping enforcement.  
2 17 (3) To conduct outreach and perform educational activities

2 18 that promote the proper management of waste tires.  
2 19 (4) The management of cost=share grants that assist in  
2 20 promotion and reuse of recycled waste tire materials and  
2 21 products.  
2 22 (5) To provide waste tire and illegal dumping prevention,  
2 23 education, and assistance to local governments.  
2 24 b. The remainder of moneys in the fund each fiscal year  
2 25 shall be allocated as follows:  
2 26 (1) Ten percent of the moneys shall be used for public  
2 27 education and awareness initiatives related to proper tire and  
2 28 solid waste recycling and disposal options and the  
2 29 environmental and health hazards posed by improper tire  
2 30 storage and illegal dumping of solid waste.  
2 31 (2) Thirty percent of the moneys shall be used for the  
2 32 provision of a grant program for end users of recycled waste  
2 33 tire materials and products.  
2 34 (3) Fifteen percent of the moneys shall be used for the  
2 35 provision of grants to local governments and entities  
3 1 established pursuant to chapter 28E for establishing  
3 2 prevention, education, and enforcement programs targeted at  
3 3 illegal dumping of waste tires. Moneys allocated pursuant to  
3 4 this subparagraph shall not be used to fund programs commonly  
3 5 known as illegal dumping amnesty events.  
3 6 (4) Five percent of the moneys shall be used for grants to  
3 7 local public health agencies for education and awareness  
3 8 initiatives related to the risks posed by insect and vermin  
3 9 populations, and insect=borne and vermin=borne diseases  
3 10 fostered by the illegal disposal of waste tires.  
3 11 (5) Forty percent of the moneys shall be used for waste  
3 12 tire stockpile abatement and illegal solid waste dump site  
3 13 cleanup. The department may require a cost=share agreement  
3 14 with a responsible party.

3 15 EXPLANATION

3 16 This bill relates to a waste tire stewardship and  
3 17 management fund.  
3 18 The bill eliminates an exception to the prohibition against  
3 19 the land disposal of waste tires.  
3 20 The bill eliminates the waste tire management fund and  
3 21 replaces it with a waste tire stewardship and management fund.  
3 22 The bill provides that, beginning July 1, 2009, a stewardship  
3 23 fee of \$1 per tire shall be charged for each new tire sold at  
3 24 retail within the state. The stewardship fee shall not be  
3 25 charged for a tire bought for purposes of resale. The bill  
3 26 provides that tires not subject to the stewardship fee include  
3 27 used tires, recapped tires, and tires for bicycles.  
3 28 The bill provides that a retailer shall remit the  
3 29 stewardship fees to the department of revenue on a quarterly  
3 30 basis and the department of revenue shall remit all revenue  
3 31 collected to the treasurer of state for deposit in the waste  
3 32 tire stewardship and management fund. All revenue credited to  
3 33 the fund is appropriated to the department of natural  
3 34 resources for the purposes provided in the bill.  
3 35 The bill provides that up to \$400,000 in the fund shall be  
4 1 used each fiscal year for issuing of permits and registrations  
4 2 of tire processing, storage, and hauling activities; the  
4 3 administration of the waste tire stockpile abatement program  
4 4 and to support illegal dumping enforcement; to conduct  
4 5 outreach and perform educational activities that promote the  
4 6 proper management of waste tires; the management of cost=share  
4 7 grants that assist in promotion and reuse of recycled waste  
4 8 tire materials and products; and to provide waste tire and  
4 9 illegal dumping prevention, education, and assistance to local  
4 10 governments. The remainder of moneys in the fund each fiscal  
4 11 year shall be allocated as follows: 10 percent for public  
4 12 education and awareness initiatives; 30 percent for the  
4 13 provision of a grant program for end users of recycled waste  
4 14 tire materials and products; 15 percent for the provision of  
4 15 grants to local governments and entities established pursuant  
4 16 to chapter 28E; 5 percent for grants to local public health  
4 17 agencies for education and awareness initiatives; and 40  
4 18 percent for waste tire stockpile abatement and illegal solid  
4 19 waste dump site cleanup.

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